

17/08170

Mr Michael Edgar
Acting General Manager
The Hills Shire Council
PO Box 7064
BAULKHAM HILLS BC NSW 2153

Dear Mr Edgar

**Planning Proposal to amend The Hills Local Environmental Plan 2012 –
434 Old Northern Road, 2 and 2a Fullers Road, Glenhaven**

I am writing in response to Council's request for a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) regarding a Planning Proposal to amend The Hills Local Environmental Plan 2012 to permit seniors housing as an additional permitted use at 434 Old Northern Road, 2 and 2a Fullers Road, Glenhaven.

As delegate of the Greater Sydney Commission, I have determined that the Planning Proposal should proceed subject to the conditions in the attached Gateway Determination.

I have also agreed the Planning Proposal's inconsistency with Section 117 Directions: 2.1 Environment Protection Zone and 6.3 Site Specific Provisions is of minor significance.

Plan-making powers were delegated to Councils in October 2012. I note that Council has requested to be issued with delegation for this Planning Proposal. I have considered the nature of the Planning Proposal and have decided to issue an authorisation for Council to exercise delegation to make the plan.

The amending Local Environmental Plan is to be finalised within six months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal as soon as possible. Council's request to draft and finalise the Plan should be made directly to Parliamentary Counsel's office six weeks prior to the project's publication date. A copy of the request is required to be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Commission may take

action under s54(2)(d) of the Act if the timeframes outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Mr Sebastian Tauni in the Department's Sydney Region West team on (02) 8217 2018.

Yours sincerely



04/07/17

Catherine Van Laeren
Director, Sydney Region West

Delegate of the Greater Sydney Commission

Encl:

Gateway Determination

Written authorisation to exercise delegation

Reporting template for delegated Local Environmental Plan amendments

Gateway Determination

Planning Proposal (Department Ref: PP_2017_THILL_005_00): to permit seniors housing as an additional permitted use at 434 Old Northern Road, 2 and 2a Fullers Road, Glenhaven.

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to The Hills Local Environmental Plan 2012 to permit seniors housing as an additional permitted use at 434 Old Northern Road, 2 and 2a Fullers Road, Glenhaven should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to:
 - a) The existing rezoning map (Figure 3 of page 6) of the Planning Proposal is to be amended to a scale that is consistent with the Proposed Additional Permitted Uses map (page 11 of the Planning Proposal).
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - a) the Planning Proposal must be made publicly available for a minimum of 28 days; and
 - b) As relevant planning authority, Council must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of 'A Guide to Preparing Local Environmental Plans' (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of Section 117 Directions and State Environmental Planning Policies:
 - Transport for NSW – Roads and Maritime Services;
 - Transport for NSW; and
 - Family and Community Services - Ageing Disability and Home Care.

Each public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment.

Should the public authorities require any additional information, or specify any additional matters to be addressed, the Planning Proposal is to be updated to respond to any such submission, a copy of which is to be included with the updated Planning Proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission).
5. The timeframe for completing the amending Local Environmental Plan is to be six months from the week following the date of the Gateway determination.

Dated 4th day of July 2017



Catherine Van Laeren
Director, Sydney Region West

**Delegate of the Greater Sydney
Commission**

Written Authorisation to Exercise Delegation

The Hills Shire Council is authorised to exercise the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following Planning Proposal:

Number	Name
PP_2017_THILL_005_00	Planning Proposal to permit seniors housing as an additional permitted use at 434 Old Northern Road, 2 and 2a Fullers Road, Glenhaven.

In exercising the Commission's functions under section 59, the Council must comply with the Department of Planning and Environment's '*A Guide to Preparing Local Environmental Plans*' and '*A Guide to Preparing Planning Proposals*'.

Dated 4th day of July 2017



Catherine Van Laeren
Director, Sydney Region West

Delegate of the Greater Sydney Commission